



Honorable August B. Landis
United States Bankruptcy Judge



Entered on Docket
April 28, 2020

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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

HUNTER LIPTON,

Debtor.

Chapter 7

Case No. BK-19-13898-ABL

**ORDER GRANTING JOINT MOTION TO
APPROVE SETTLEMENT UNDER RULE
9019**

Date Of Hearing: April 24, 2020

Time Of Hearing: 9:30 a.m.

Judge: Hon. August B. Landis

This matter having come before the Court on an order shortening time on August 24, 2020, at 9:30 a.m. and the Court having considered and reviewed the *Joint Motion to Approve Settlement Under Rule 9019* (ECF No. 131) (the "Settlement Motion"), the Declaration of Shelley D. Krohn (ECF No. 132), the Settlement Agreement (ECF No. 138), filed jointly by Shelley D. Krohn,

Chapter 7 Trustee (the “Trustee”) of the Bankruptcy Estate of Hunter Lipton, by and through her counsel, Lenard E. Schwartz, Esq. of the Schwartz & McPherson Law Firm, and Creditors MDF Holdings, LLC (“MDF”), Tara Lipton (“Ms. Lipton”), and Herbert Feinberg (“Mr. Feinberg”) (collectively, “Creditors”), by and through their counsel, Ogonna M. Brown, Esq., of the law firm Lewis Roca Rothgerber Christie, LLC. Ogonna M. Brown, Esq. of the law firm of Lewis Roca Rothgerber Christie, LLP, appeared on behalf of the Creditors, Jeanette McPherson, Esq. appeared on behalf of Trustee Shelley Krohn, Chapter 7 Trustee and Talitha Gray Kozlowski, Esq. appeared on behalf of Debtor Hunter Lipton (“Debtor”), and all other appearances were noted on the record during the hearing.

The Court stated its findings of facts and conclusions of law on the record at the hearing on the Settlement Motion, which are incorporated herein by reference in accordance with Rule 52 of the Federal Rules of Civil Procedure, made applicable pursuant to Rules 9014(a) and (c) and 7052 of the Federal Rules of Bankruptcy Procedure, and good cause appearing therefor,

IT IS HEREBY ORDERED that the Motion to Approve Settlement Under Rule 9019 is **GRANTED** in its entirety.

IT IS FURTHER ORDERED that the Settlement Agreement dated March 26, 2020 (ECF No. 138) is **APPROVED** in its entirety.

IT IS FURTHER ORDERED that the Trustee is authorized and empowered to take such actions as may be reasonably necessary to implement and effectuate the terms of the Settlement Agreement, including, but not limited to, executing the Assignment Separate from Certificate (Bill of Sale) (**Exhibit “B”** to the Settlement Agreement), the Grant, Bargain and Sale Deed and any necessary transfer or conveyance documents (**Exhibit “C”** to the Settlement Agreement), the Bill of Sale relating to the Personal Property in the New York Property and the Aspen Timeshare (**Exhibit “D”** to the Settlement Agreement), the Stipulation and Order to Dismiss the State Court Action with Prejudice (**Exhibit “E”** to the Settlement Agreement).

IT IS FURTHER ORDERED that the Settlement Agreement and this Order do not: (i) resolve the issues or matters pending before the Supreme Court of the State of New York, County of New York, in the New York Divorce Action, in accordance with 11 U.S.C. § 362(b)(2)(A) and

(B); (ii) resolve the pre-petition Domestic Support Obligations claim asserted by Ms. Lipton against the Debtor; (iii) make any determinations as to whether Ms. Lipton's claim is exempt from discharge under 11 U.S.C. § 523(a); or (iv) impair, hinder, or alter Debtor's right to object to the Creditors' asserted proofs of claim or his rights and defenses with respect to Adversary Nos. 19-01095, 19-01096, and 19-01094.

IT IS FURTHER ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order and the Settlement Agreement approved herein.

IT IS SO ORDERED.

Prepared and Submitted by:

**LEWIS ROCA ROTHGERBER
CHRISTIE LLP**

GARMAN TURNER GORDON LLP

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RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies as follows:

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Talitha Gray Kozlowski, Esq.
Nevada Bar No. 9040
Garman Turner Gordon LLP
7251 Amigo Street, Suite 210
Las Vegas, Nevada 89119
Attorneys for Hunter Lipton

APPROVED



DISAPPROVED



Jeanette E. McPherson, Esq.
Schwartz & McPherson Law Firm
2850 S. Jones Boulevard, Suite 1
Las Vegas, NV 89146
Attorneys for Shelley Krohn, Chapter 7 Trustee

APPROVED



DISAPPROVED



☐ I certify that this is a case under chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

LEWIS ROCA ROTHGERBER
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/s/ Ogonna Brown

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